UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,245	06/23/2003	Len Chan	OIC0052US	1154

60975   7590   02/26/2010
CAMPBELL STEPHENSON LLP
11401 CENTURY OAKS TERRACE
BLDG. H, SUITE 250
AUSTIN, TX 78758

EXAMINER
FISHER, PAUL R

ART UNIT	PAPER NUMBER
3689	

MAIL DATE	DELIVERY MODE
02/26/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/602,245	CHAN ET AL.
	Examiner	Art Unit	
	PAUL R. FISHER	3689	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *09 December 2009*.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,3,6-9,11,14-17,19,22-27 and 33* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1,3,6-9,11,14-17,19,22-27 and 33* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *23 June 2003* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Amendment submitted on December 9, 2009 has been acknowledged. Claims 2,

4, 5, 10, 12, 13, 18, 20, 21, and 28-32 have been canceled. Claims 1, 3, 6-9, 11, 14-17,

19, 22-27 and 33 are currently pending and have been considered below.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   Claims 6-8, 14-16, 22-24 and 33 rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

4.   The newly amended claims 6, 14, 22, and 33, state that a set of alternatives is

presented, however this is after the user is already presented an alternative. It is

unclear to the Examiner if the alternatives are presented both at the determination of a

space being unavailable and after a user rejects a quote, or if it is one or the other.

Further it is unclear if it is the same alternatives or a new set of alternatives. For the

purposes of examination the Examiner is reading to be an alternative is given if a spot is

deemed unavailable that alternative is available and if the user does not like the quote,

more alternatives are given.

5.   Claims 7-8, depend from claim 6, and are therefore rejected upon the same

rationale.

6.   Claims 15-16, depend from claim 14, and are therefore rejected upon the same

rationale.

7.   Claims 23-24, depend from claim 22, and are therefore rejected upon the same

rationale.

Claim Rejections - 35 USC § 101

8.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

9.   Claims 9, 11, 14-16 and 26 are rejected under 35 U.S.C. 101 because the

claimed invention is directed to non-statutory subject matter. Computer-readable

medium as described in the specification pages 20 through 21 is defined as being

communication connection that comprises of a wireless signal (carrier wave) and at this

time signals are currently considered forms of energy and are non-statutory, because

the medium itself is not tangible.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   **Claims 1, 3, 6-9, 11, 14-17, 19, 22-27 and 33 are rejected under 35 U.S.C.**

103(a) as being unpatentable over Bingham et al. (US 2002/0069094) hereafter

Bingham, further in view of Edward B. Fiske: "Christmas in Williamsburg" (Dec.

25, 1983) hereafter Fiske, further in view of StubHub: "Leo Kottke- University of San Francisco Gershwin Theatre Tickets" (April 29, 2001) hereafter StubHub.

As per claims 1, 9 and 17, Bingham discloses a method, a machine readable storage medium for providing instructions which cause the processor to perform the method (Page 3, paragraph 0025), and a system (Figures 1, 2a, 2b, and 3) for performing the method comprising:

a data processing system (Internet based system) receiving a request (Page 1, paragraph 0008; discloses a reservation request is received from a user) for a function space (resources for meetings), wherein the data processing system stores availability information for a plurality of function spaces at a plurality of properties (multiple meeting facility resources) and a set of pricing rules (Examiner interprets this as rules for determining the price of the space), Bingham discloses received meeting facility criteria including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources (paragraph 0029) and a price for the defined meeting package is generated based upon the retrieved customer profile (block 516) (paragraph 0033) and, the request comprises a plurality of criteria, (paragraph 0008; discloses that the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and paragraph 0029; disclose meeting facility criteria are received (block 404) from the user via a graphical interface), (paragraph 30) a customer profile, a reservation rule, a reservation quota, and a meeting facility inventory are

retrieved. Thereafter the retrieved reservation rule is applied to determine whether the

user input meeting facility criteria satisfy the generated based upon the retrieved

customer profile. In one embodiment, customer profile includes a customer type

designation such as corporate or government which entitles the designated customer to

reduced prices for hotel guest room and other services (pricing rule corresponding to a

criterion) (paragraph 0038) a meeting facility employee may adjust room pricing values

such as the corporate room rate and resource availability such as the number or booked

or available meeting rooms Figure 4 (404), (410);

a processor determining an availability of the function space, wherein the

determining the availability further comprises determining the availability based upon

some or all of the availability information at a plurality of properties and one or more of

the criteria (Figure 5 (512) Are the Specified Meeting Facility Resources Available for

Reservation?, page 1, paragraph 0008, page 4, paragraph 0033), and;

a day part for which the function space is requested (Page 4, paragraph [0035]

and page 5, paragraph [0036]; disclose the planner also ensures that event takes place

at an available time or part of the day which the space is requested and if the space is

not available then an optimal time when it is available is suggested);

determining that a requested function space satisfying the one or more of the

plurality of criteria is unavailable (page 4, paragraph 0033; discloses that method

includes determining if the requested function space is unavailable based on one or

more of the plurality of criteria. Page 5, paragraph [0036]; discloses that it is determined

that a space is unavailable due to capacity issues and an alternative time is suggested

where it would be available);

automatically providing a real-time price quote for the requested function space

based upon the set of pricing rules (Paragraph 0033; discloses if sufficient meeting

facility resources are available to cover those desired by the user as described in the

meeting facility criteria then a meeting package definition is generated using the

specified meeting facility resources (block 514), a price for the defined meeting package

is generated based upon the retrieved customer profile (block 516), and the meeting

package definition; Figure 11 Reserve room for more then 7 nights and get 10% off;

Figure 5 (516) Price the Meeting Package Based on the Customer Profile; (Paragraph

0008) the meeting package may be defined or reserved based on various meeting

facility criteria input by the user, real time facility inventory data, or facility reservation

rules; real time (Page 1, paragraph 0008) a customer profile associated with the user

may be used to determine the price of the meeting package or its component resources.

The meeting package may be defined or reserved based on various meeting facility

criteria input by the user, real time facility inventory data, or facility reservation rules.

Figure 5 [516], page 4, paragraph 0033, page 5, paragraph 0038).

in response to determining that the requested function space satisfying the one

or more of the plurality of criteria is unavailable, an alternative to the requested function

space is presented (Page 5, paragraph [0036]; discloses that it is determined that a

space is unavailable due to capacity issues and an alternative time is suggested where

it would be available),

the alternative is selected as a closest approximation to the request (Page 5, paragraph [0036]; discloses that it is determined that a space is unavailable due to capacity issues and an alternative time is suggested where it would be available this alternative would be for the optimal time, from this it is clear it is the closest approximation to the original request),

the alternative is selected based on being fully available (Page 5, paragraph [0036]; discloses that it is determined that a space is unavailable due to capacity issues and an alternative time is suggested where it would be available);

receiving an acceptance of the real time price quote for the requested function space from the user; and establishing a reservation for the requested function space (Figure 4 (416), Figure 5 (516), Figure 12 (confirmation number, grand total), page 5, paragraph 0037).

converting, after a delay, said reservation to a reservation for a specific space (Page 4, paragraph [0035]; discloses that the default is modified or converted to a specific or actual reservation requirement).

Bingham does not explicitly disclose if said function space is unavailable, said reservation comprises an overbooking. The Examiner is taking this limitation to mean that when the space is not available the user is put on a waiting list or a list of people to contact if the space becomes available, based on applicants specification paragraph [0056].

Fiske, which talks about hotels reserving space in advance, teaches that guests can be placed on a waiting list so if a desired space becomes available due to another

guest canceling they will be asked to fill the spot (Page 1, paragraph 2, lines 24-28; disclose that the hotel has reservations made for a particular spot in a hotel made during a particular and when they are full they keep an active waiting list to help them ensure the profit they expected and the customers with the space they desired).

Therefore, from this teaching of Fiske, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the reservation system provided by Bingham, with the use of waiting lists taught by Fiske, for the purpose of providing flexible customers a chance to get their desired spot and to also ensure that the business makes the profit they are expecting so there is not lost revenue.

The combination of Bingham and Fiske fail to explicitly disclose wherein the converting comprises displaying a graphical representation of a hierarchical relationship between a category space and the specific space, in the graphical representation, the category space is arranged vertically with the specific space sharing a horizontal axis, and the specific space comprises a specific space configuration, the specific space configuration comprises one or more alphabetically-identified specific spaces.

StubHub, which talks about reserving tickets for a seat or seats at an event, teaches displaying a graphical representation of a hierarchical relationship between a category space and the specific space, in the graphical representation, the category space is arranged vertically with the specific space sharing a horizontal axis, and the specific space comprises a specific space configuration, the specific space configuration comprises one or more alphabetically-identified specific spaces (Page 1,

under ticket details; teaches that the category of ticket in this case Orchestra Row R is

vertical with the specific space requested in this case seats 1 and/or 2, since the Row is

above the Seat they share a horizontal axis, in this case the specific space is Orchestra

Row R seat 1 or seat 2 so the specific space comprises one or more alphabetically-

identified specific space which is in a hierarchical relationship with a category space

which is Orchestra Row R, it would have been obvious to have done this in reservations

for function spaces as well since it is merely a display for visually seeing the

relationship. For example since Bingham discloses a Graphical user Interface it would

been obvious that the user could be shown a similar screen as the one shown in

StubHub to represent the requested or reserved rooms, such as 1 bedroom room 200 in

this case it would be the type of room and the room number, or the type of function

space classroom and the classroom number).

Therefore, from this teaching of StubHub, it would have been obvious to one

having ordinary skill in the art at the time the invention was made to modify the

reservation system provided by Bingham and Fiske, with the graphical display of the

hierarchical relationship between a category space and the specific space as taught by

StubHub, for allowing the user or customer to see what category of room and the

specific room in an easy to follow and coherent manner. It would have been obvious to

one having ordinary skill in the art to display the information to the user in any format

which would be easy for the user to understand.

As per claims 3, 11 and 19, Bingham discloses a method, medium and system wherein the plurality of properties are individual hotels of a hotel chain (Figures 11 and 12).

As per claims 6, 14 and 22, Bingham discloses a method, medium and system further comprising receiving a rejection of the price for the requested function space from the user; and providing a set of alternatives to one or more of the plurality of criteria in real-time (Figures 4 and 5, Figure 11 alternatives are presented with different prices).

As per claims 7, 15 and 23, Bingham discloses a method, medium and system wherein the establishing the reservation for the requested function space includes allocating a function space of a specified category, the category specified by one or more category related criteria included in the plurality of criteria (Figures 4 and 5, pages 1, paragraph 0008).

As per claims 8, 16 and 24, Bingham discloses a method, medium and system wherein the category related criteria include one or more criterion selected from the group consisting of attendance (Figure 7 (706), event type (customer type Figure 4)(page 4, paragraph 0033), setup styles (Figure 9 (906)(Setup Classroom) and area (Figure 7 (708)(Figures 7-14).

As per claims 25-27, Bingham discloses wherein the criteria includes selected from a group of criteria consisting of date (Figure 4), day-part, (Figure 9), current demand (Figure 11) and supplementary sales [0029][0034] (supplementary sales as defined by applicant in the specification in paragraph [49]. For example, the price at

which a ballroom for a particular event is rented may be determined by consideration of many factors, including the profit on supplementary sales, such as food and beverages served at the event, and the number of guest rooms rented in conjunction with the Event – Bingham discloses received meeting facility criteria including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources [0029] and a price for the defined meeting package is generated based upon the retrieved customer profile (block 516) [033], the request including a plurality of criteria, ([0008] the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and [0029] meeting facility criteria are received (block 404) from the user via a graphical interface), [0030] a customer profile, a reservation rule, a reservation quota, and a meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the retrieved reservation rule [0033] a price for the defined meeting package is generated based upon the retrieved customer profile. In one embodiment, customer profile includes a customer type designation such as corporate or government which entitles the designated customer to reduced prices for hotel guest room and other services (pricing rule corresponding to a criterion) [0038] a meeting facility employee may adjust room pricing values such as the corporate room rate and resource availability such as the number or booked or available meeting rooms Figure 4 (404), (410).

As per claim 33, Bingham discloses a method comprising:

a data processing system receiving a request for a function space, wherein the data processing system stores availability information for a plurality of function spaces at a plurality of properties in a common reservation table, the common reservation table concurrently stores information related to an inventory of a specific space and a category space representing the function space, each of the plurality of function spaces is located at one of a plurality of properties, and the data processing system stores a set of pricing rules, the request comprises a plurality of criteria, the plurality of criteria comprises a ranking of facility quality and the pricing rules including pricing based on a time of year (Bingham discloses received meeting facility criteria including meeting room and guest room meeting facility resources. In the alternative embodiment, the received meeting facility criteria also include desired food and beverage service meeting facility resources (paragraph 0029) and a price for the defined meeting package is generated based upon the retrieved customer profile (block 516) (paragraph 0033), the request comprising a plurality of criteria, (paragraph 0008; discloses that the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and paragraph 0029; disclose meeting facility criteria are received (block 404) from the user via a graphical interface), (paragraph 30) a customer profile, a reservation rule, a reservation quota, and a meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the generated based upon the retrieved customer profile. In one embodiment,

customer profile includes a customer type designation such as corporate or government

which entitles the designated customer to reduced prices for hotel guest room and other

services (pricing rule corresponding to a criterion) (paragraph 0038) a meeting facility

employee may adjust room pricing values such as the corporate room rate and resource

availability such as the number or booked or available meeting rooms Figure 4 (404),

(410); criteria consisting of date (Figure 4), day-part, (Figure 9), current demand (Figure

11) and supplementary sales [0029][0034] (supplementary sales as defined by applicant

in the specification in paragraph [49]. For example, the price at which a ballroom for a

particular event is rented may be determined by consideration of many factors, including

the profit on supplementary sales, such as food and beverages served at the event, and

the number of guest rooms rented in conjunction with the Event. Figure 11; discloses

that the information includes rankings as well).

a processor of a central reservation system data processing system determining

an availability of the function space, wherein the determining comprises determining the

availability based upon some or all of the availability information and one or more of the

plurality of criteria, said determining comprises determining the availability contingent on

a threshold revenue for the function space, the threshold revenue comprises an

expected food and drink revenue associated with the request, and revenue derived from

an expected number of sleeping rooms rentals associated with the request, and the

threshold revenue is determined based on a day part for which the function space is

requested (Figure 5 (512) Are the Specified Meeting Facility Resources Available for

Reservation?, page 1, paragraph 0008, page 4, paragraph 0033. Bingham discloses

received meeting facility criteria including meeting room and guest room meeting facility

resources. In the alternative embodiment, the received meeting facility criteria also

include desired food and beverage service meeting facility resources (paragraph 0029)

and a price for the defined meeting package is generated based upon the retrieved

customer profile (block 516) (paragraph 0033), the request comprising a plurality of

criteria, (paragraph 0008; discloses that the meeting package may be defined or

reserved based on various meeting facility criteria input by the user, real time facility

inventory, or facility reservation rules), (Figure 4 and paragraph 0029; disclose meeting

facility criteria are received (block 404) from the user via a graphical interface),

(paragraph 30) a customer profile, a reservation rule, a reservation quota, and a

meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is

applied to determine whether the user input meeting facility criteria satisfy the generated

based upon the retrieved customer profile. In one embodiment, customer profile

includes a customer type designation such as corporate or government which entitles

the designated customer to reduced prices for hotel guest room and other services

(pricing rule corresponding to a criterion) (paragraph 0038) a meeting facility employee

may adjust room pricing values such as the corporate room rate and resource

availability such as the number or booked or available meeting rooms Figure 4 (404),

(410); criteria consisting of date (Figure 4), day-part, (Figure 9), current demand (Figure

11) and supplementary sales [0029][0034] (supplementary sales as defined by applicant

in the specification in paragraph [49]. For example, the price at which a ballroom for a

particular event is rented may be determined by consideration of many factors, including

the profit on supplementary sales, such as food and beverages served at the event, and

the number of guest rooms rented in conjunction with the Event. Page 4, paragraph

[0031]; discloses that the quota is based on a percentage of guess rooms occupied

during the event. Page 4, paragraph [0035] and page 5, paragraph [0036]; disclose the

planner also ensures that event takes place at an available time or part of the day which

the space is requested and if the space is not available then an optimal time when it is

available is suggested);

automatically providing a real-time price quote for the request based on the set of

pricing rules, wherein in response to having determined that a requested function space

satisfying the plurality of criteria is unavailable, an alternative to the request function

space is presented, the alternative is selected as a closest approximation to the

request, the alternative is selected based on being fully available, the pricing rules

comprise general pricing rules, and property-specific pricing rules, and the real-time

price quote includes a pricing discount based on an attendance of the event, profit for

one or more expected guest room rentals, and an expected profit on food and drink

sales (Paragraph 0033; discloses if sufficient meeting facility resources are available to

cover those desired by the user as described in the meeting facility criteria then a

meeting package definition is generated using the specified meeting facility resources

(block 514), a price for the defined meeting package is generated based upon the

retrieved customer profile (block 516), and the meeting package definition; Figure 11

Reserve room for more then 7 nights and get 10% off; Figure 5 (516) Price the Meeting

Package Based on the Customer Profile; (Paragraph 0008) the meeting package may

be defined or reserved based on various meeting facility criteria input by the user, real

time facility inventory data, or facility reservation rules; real time (Page 1, paragraph

0008) a customer profile associated with the user may be used to determine the price of

the meeting package or its component resources. The meeting package may be defined

or reserved based on various meeting facility criteria input by the user, real time facility

inventory data, or facility reservation rules. Figure 5 [516], page 4, paragraph 0033,

page 5, paragraph 0038. Page 5, paragraph [0036]; discloses that it is determined that

a space is unavailable due to capacity issues and an alternative time is suggested

where it would be available this alternative would be for the optimal time, from this it is

clear it is the closest approximation to the original request);

in response to an user rejecting the real time price quote, presenting a plurality of

alternatives (Figures 4 and 5, Figure 11 alternatives are presented with different prices.

Page 4, paragraph [0033]; discloses that the user can reject and modify the request);

receiving an acceptance of the real-time price quote for the function space from a

user (Figure 4 (416), Figure 5 (516), Figure 12 (confirmation number, grand total), page

5, paragraph 0037).

establishing a reservation for the function space as category space allocated for

a length of time including a setup period and teardown period, said length of time is

determined in response to a selected setup style and the attendance (Figure 4 (416),

Figure 5 (516), Figure 12 (confirmation number, grand total), page 5, paragraph 0037.

Page 5, paragraph 0039; discloses that there is both a setup style and attendance with

a certain dollar value associated with the food and beverages in conjunction with a

reservation and there is also a tear down and setup time included in the "cutoff" days

when another event can be planned in the same room or area).

converting, after a delay, said reservation to a reservation for the specific space

(Page 4, paragraph [0035]; discloses that the default is modified or converted to a

specific or actual reservation requirement. Figure 4 (410-416); discloses that there is a

delay in the response of the system in converting from a general request for a category

of space such as a conference room, to a specific confirmed conference room since the

user must submit and accept the terms before the room is reserved. In other words,

while on the website there are multiple users all attempting to reserve the same spaces,

i.e. a delay to allow for the sale of additional reservations during the time between when

a reservation is requested to the time the reservation is confirmed, wherein the

confirmed reservation (specific space) is selected from a set of available rooms).

Bingham does not explicitly disclose if said function space is unavailable, said

reservation comprises an overbooking. The Examiner is taking this limitation to mean

that when the space is not available the user is put on a waiting list or a list of people to

contact if the space becomes available, based on applicants specification paragraph

[0056].

Fiske, which talks about hotels reserving space in advance, teaches that guests

can be placed on a waiting list so if a desired space becomes available due to another

guest canceling they will be asked to fill the spot (Page 1, paragraph 2, lines 24-28;

disclose that the hotel has reservations made for a particular spot in a hotel made

during a particular and when they are full they keep an active waiting list to help them

ensure the profit they expected and the customers with the space they desired).

Therefore, from this teaching of Fiske, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to modify the reservation

system provided by Bingham, with the use of waiting lists taught by Fiske, for the

purpose of providing flexible customers a chance to get their desired spot and to also

ensure that the business makes the profit they are expecting so there is not lost

revenue.

The combination of Bingham and Fiske fail to explicitly disclose wherein the

converting comprises displaying a graphical representation of a hierarchical relationship

between a category space and the specific space, in the graphical representation, the

category space is arranged vertically with the specific space sharing a horizontal axis,

and the specific space comprises a specific space configuration, the specific space

configuration comprises one or more alphabetically-identified specific spaces.

StubHub, which talks about reserving tickets for a seat or seats at an event,

teaches displaying a graphical representation of a hierarchical relationship between a

category space and the specific space, in the graphical representation, the category

space is arranged vertically with the specific space sharing a horizontal axis, and the

specific space comprises a specific space configuration, the specific space

configuration comprises one or more alphabetically-identified specific spaces (Page 1,

under ticket details; teaches that the category of ticket in this case Orchestra Row R is

vertical with the specific space requested in this case seats 1 and/or 2, since the Row is

above the Seat they share a horizontal axis, in this case the specific space is Orchestra

Row R seat 1 or seat 2 so the specific space comprises one or more alphabetically-

identified specific space which is in a hierarchical relationship with a category space

which is Orchestra Row R, it would have been obvious to have done this in reservations

for function spaces as well since it is merely a display for visually seeing the

relationship. For example since Bingham discloses a Graphical user Interface it would

been obvious that the user could be shown a similar screen as the one shown in

StubHub to represent the requested or reserved rooms, such as 1 bedroom room 200 in

this case it would be the type of room and the room number, or the type of function

space classroom and the classroom number).

Therefore, from this teaching of StubHub, it would have been obvious to one

having ordinary skill in the art at the time the invention was made to modify the

reservation system provided by Bingham and Fiske, with the graphical display of the

hierarchical relationship between a category space and the specific space as taught by

StubHub, for allowing the user or customer to see what category of room and the

specific room in an easy to follow and coherent manner. It would have been obvious to

one having ordinary skill in the art to display the information to the user in any format

which would be easy for the user to understand.

Response to Arguments

12.   Applicant's arguments filed December 9, 2009 have been fully considered but

they are not persuasive.

13.   In response to the applicant's arguments that, "Bingham specifically teaches

away from presentation of an alternative selected on the basis of being fully available by

showing, at Figure 11, a range of alternatives, some of which are clearly displayed in

the figure as being unavailable," the Examiner respectfully disagrees. As shown in the

above rejection Bingham offers an alternative to the user. Page 5, paragraph [0036];

discloses that it is determined that a space is unavailable due to capacity issues and an

alternative time is suggested where it would be available this alternative would be for

the optimal time. From this it is clear that the user is presented with an alternative which

is available upon the system determining that the original request was unavailable, this

alternative is the optimal alternative or the one closest to the original request. For this

reason the rejection has been maintained.

14.   Applicant's arguments with respect to claims 1,9,17 and 33 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

15.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to PAUL R. FISHER whose telephone number is (571)270-

5097. The examiner can normally be reached on Mon/Fri [8am/4:30pm].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Janice Mooneyham can be reached on (571)272-6805. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. R. F./

Examiner, Art Unit 3689

/Dennis Ruhl/

Primary Examiner, Art Unit 3689